

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JOHNSON & JOHNSON  
HEALTH CARE SYSTEMS INC.,

:

Civil Action No. 22-2632

:

Plaintiff,

Hon. Jamel K. Semper, U.S.D.J.

: Hon. Cathy L. Waldor, U.S.M.J.

vs.

:

SAVE ON SP, LLC,

**ORDER GRANTING**

:

**MOTION TO SEAL**

Defendant.

:

**THIS MATTER** having been brought to the Court, and referred to the undersigned Special Master, upon the motion of Plaintiff Johnson & Johnson Health Care Systems, Inc. (“JJHCS”) seeking an order to (a) permanently maintain under seal the letters and supporting exhibits filed by counsel for the parties regarding (i) Defendant Save On SP, LLC’s Motion to Compel CAP Search Terms, dated February 16, 2024, with related briefing on February 28 and March 4, 2024 (ECF No. 277); (ii) JJHCS’s Application that Exhibit 81 be Withdrawn from the Court’s Docket based on privilege, dated January 29, 2024, with related briefing on February 6, 8, 9, 16, 20, 22 and March 29, 2024 (ECF No. 289); and (iii) Defendant Save On SP, LLC’s Motion to Compel regarding Early Terms and Conditions and Search Terms, dated March 12, 2024, with related briefing on March 20 & 22, 2024 (ECF No. 282) (collectively, the “Subject Motions”), and (b) permit JJHCS to file the proposed public versions of ECF Nos. 277, 282, and 289, attached as Exhibits A, B, and C to

the Declaration of Jeffrey J. Greenbaum submitted in support of this motion (“Greenbaum Declaration”); and the Special Master having considered the motion by reviewing all of the proposed redactions, without oral argument pursuant to Fed. R. Civ. P. 78, and no objections having been raised by Defendant, makes the following findings of fact and conclusions of law, pursuant to L. Civ. R. 5.3(c)(6):

- (1) As to JJHCS’s request to seal its confidential materials, the letters and the exhibits thereto (collectively, “the Confidential Materials”) contain information that is non-public business, trade secret and/or proprietary information involving the administration of the Janssen CarePath Program and the JJHCS business.
- (2) The Confidential Materials contain highly sensitive, proprietary business information of JJHCS that is not known to the general public.
- (3) JJHCS has safeguarded and protected the confidentiality of the Confidential Materials, including throughout the pendency of this action.
- (4) JJHCS would suffer substantial and specific harm, including but not limited to, potential financial damage and disclosure of competitive business information through the divulgence of such confidential information and that JJHCS has a strong and legitimate interest in protecting this confidential information from being disclosed to the public.

(5) Indeed, no less restrictive alternative to sealing exists and that JJHCS has proposed redactions where appropriate to minimize the amount of sealing necessary.

(6) For these reasons, good cause exists for protecting the Confidential Materials pursuant to Fed. R. Civ. P. 26(c)(1)(G) and L. Civ. R. 5.3(c)(2).

**IT IS** on this 30th day of July, 2024;

**ORDERED**, that pursuant to L. Civ. R. 5.3, the JJHCS Confidential Materials are confidential and entitled to protection; and it is further

**ORDERED** that the motion to seal is **GRANTED** [ECF 319] and ECF Nos. 277, 282, and 289 are hereby permanently **SEALED**; and it is further

**ORDERED** that the Clerk of Court shall maintain the unredacted versions of the Subject Motions at ECF Nos. 277, 282, and 289 under seal; and it is further

**ORDERED** that JJHCS shall file the redacted version of ECF Nos. 227, 282, and 289, including all exhibits, consistent with the proposed redactions submitted herewith.

/s/ Freda L. Wolfson

Hon. Freda L. Wolfson (ret.)  
Special Master